

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

IN RE: WESTERN STATES)	MDL DOCKET NO. 1566
WHOLESALE NATURAL GAS)	
ANTITRUST LITIGATION.)	Base Case File No.
)	2:03-CV-S-1431-RCJ-PAL
)	
THIS DOCUMENT RELATES TO:)	
)	
<i>Arandell Corporation., et al.</i>)	2:07-CV-01019-RCJ-PAL
<i>v. Xcel Energy Inc., et al.</i>)	
)	
<i>Breckenridge Brewery of Colorado, LLC,</i>)	2:06-CV-01351-RCJ-PAL
<i>et al. v. ONEOK, Inc., et al.</i>)	
)	
<i>Heartland Regional Medical Center, et al.</i>)	2:07-CV-00987-RCJ-PAL
<i>v. ONEOK, Inc., et al.</i>)	
)	
<i>Learjet, et al. v. ONEOK, et al.</i>)	2:06-CV-00233-RCJ-PAL
)	
<i>NewPage Wisconsin System, Inc., et al.</i>)	CV-S-09-915-RCJ-PAL
<i>v. CMS Energy Resource Management</i>)	
<i>Company, et al.</i>)	
)	

STIPULATION AND JOINT MOTION

WHEREAS, plaintiffs in the above-captioned cases filed their motions for class certification on March 7, 2016; and

WHEREAS, defendants in the above-captioned cases filed a joint consolidated opposition to class certification on June 24, 2016; and

WHEREAS, in conjunction with their opposition to class certification, defendants disclosed six different expert witnesses, each of which produced a separate report on some aspect of class certification; and

WHEREAS, the parties have worked together in good faith to schedule the depositions of those six expert witnesses as quickly as possible; and

WHEREAS, based on the expert witnesses' schedules and the availability of counsel, expert witness depositions will not be complete until August 10, 2016, with additional time likely required for final transcripts to be prepared; and

WHEREAS, plaintiffs requested an extension of time to file their reply briefs in support of class certification to accommodate the deposition of defendants' expert witnesses and allow ample time to address defendants' arguments in opposition to class certification; and

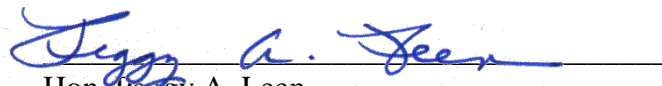
WHEREAS, Defendants' merits expert reports are scheduled to be served on August 10, 2016, two days after plaintiffs' reply papers are presently scheduled to be filed. The August 10 deadline for serving merits reports has been complicated by the need to schedule depositions for those same experts in connection with class certification issues during the period from July 21, 2016 through August 10, 2016; and

WHEREAS, the parties have met and conferred in good faith and have agreed to extend the current deadlines for plaintiffs' reply briefs in support of class certification and for defendants' merits expert reports until September 9, 2016, and to further adjust the remaining scheduling order consistent with the agreed extension of those deadlines.

NOW THEREFORE, the parties hereby stipulate to and jointly move the Court to modify the remaining deadlines on the scheduling order as follows:

	<u>Current Schedule</u>	<u>Stipulated Modification</u>
Defendants to produce merits expert reports	August 10, 2016	September 9, 2016
Last day for Plaintiffs to depose Defendants' class certification declarants and file replies in support of class certification	August 8, 2016	September 9, 2016
Parties' rebuttal merits expert reports	September 26, 2016	October 28, 2016
Last day to complete expert depositions	November 10, 2016	December 9, 2016
Last day to file dispositive motions and suggestions to remand	December 8, 2016	January 13, 2017

IT IS SO ORDERED:


 Hon. Peggy A. Leen
 United States Magistrate Judge

DATED: August 17, 2016

Respectfully submitted,

On behalf of All Plaintiffs for Purposes of This Filing Only

/s/ Gregory M. Bentz

RUSSELL S. JONES
JENNIFER GILLE BACON
GREGORY M. BENTZ
POLSINELLI PC
900 West 48th Place, Suite 900
Kansas City, MO 64112
Telephone: (816) 753-1000
Facsimile: (816) 753-1536

*Attorneys for Plaintiffs Learjet Inc., et al.,
Breckenridge Brewery of Colorado, LLC, et
al., Arandell Corp., et al., NewPage Wisconsin
System, Inc., et al., and Heartland
Regional Medical Center, et al.*

-AND-

*With Authorization, on Behalf of All
Defendants for Purposes of This Filing Only*

/s/ Joseph A. Fischer, III

Joseph A. Fischer, III
JACKSON WALKER LLP
1401 McKinney, Suite 1900
Houston, Texas 77010
Telephone: (713) 752-4530
Facsimile: (713) 308-4130

Attorneys for the Dynegy Defendants

CERTIFICATE OF SERVICE

I hereby certify that on the 22nd day of July, 2016, a true and correct copy of the foregoing was electronically filed and served on counsel for all parties properly registered to receive notice via the Court's CM/ECF system.

/s/ Gregory M. Bentz